

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04CV11023 RCL

LEON ROBINSON,
Plaintiff

v.

THOMAS MENINO, PAUL F.
EVANS, JAMES WYSE,
MICHAEL PRIMM, JOHN A.
MARTEL, WAYNE ROCK,
GARRETT MITCHELL,
CHARLES HARDY, AMERICAN
BROADCASTING CO., INC.,
HEARST-ARGYLE STATION
INC., WCVB TV (Channel 5,
Boston) DENNIS MCCARTHY
AND JOHN DOE I,
Defendants

MOTION FOR APPOINTMENT OF COUNSEL

Now come the Plaintiff, Leon Robinson, hereby moves this Honorable Court for an **ORDER** to appointing Counsel to represent him in the above-entitled action matter.

As grounds therefore, plaintiff states that he is Indigent, pursuant to G.L. c. 261 sec. 29, the plaintiff attach Notice of Forma Pauperis, to proceed as Exhibit 1.

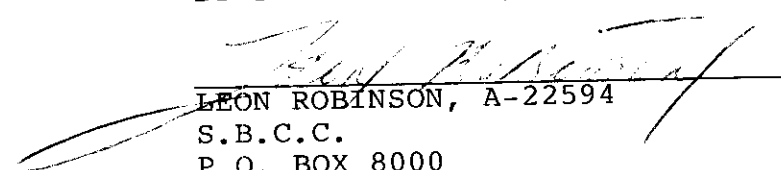
The Plaintiff also states that, he can not proceed Pro Se, do to the Complexity and Difficulty of this case. The fact that is case will be tried before a jury, and the plaintiff do not have the experience, skills, nor degree regarding trial issues, depositions and other pre-trial discovery preparation that is usually beyond the abilities of a pro se pretrial detainee.

The Plaintiff, Leon Robinson, is not a "inmate" as defined by G.L. ch. § 27A. The Plaintiff, Leon Robinson, is a citizen who is being detained as a pretrial detainee, in lieu of bail, pursuant to a Mittimus - To Common Jail in the County of Suffolk, Criminal Docket No# SUCR2001-10384 for the alleged crime of Murder, which he is presumed innocent until proven guilty by a jury. See. Affidavit of Leon Robinson, as Exhibit 2.

Plaintiff states, ("Counsel can explain the applicable legal principles to the complainant and ... limit litigation to potentially meritorious issues. In addition, appointment of a Lawyer provides the unlettered Pre-trial Detainee with an opportunity to obtain representation equally qualified with the professional counsel usually by the state for the defendant. See. Knighton v. Watkins, 616 F.2d 795,799 (5th Cir. 1980).

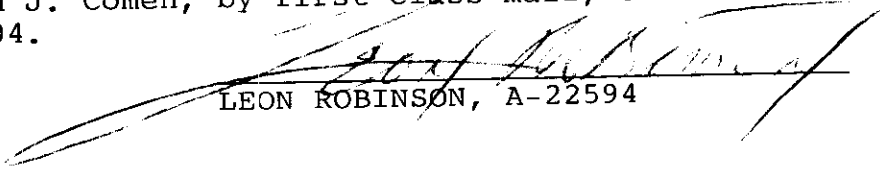
Wherefore, the Plaintiff, Leon Robinson, respectfully request that this Honorable Court to **ALLOW** his request for Counsel, do to the Complaint against the Boston Police Officers in this case, and he is unable to afford private counsel.

Respectfully Submitted,
BY THE PLAINTIFF,



LEON ROBINSON, A-22594
S.B.C.C.
P.O. BOX 8000
SHIRLEY, MA. 01464

I, Leon Robinson, do hereby certify that a copy of this document have been served upon the Defendant's Attorneys, Margaret H. Sanel, and Steven J. Comen, by first class mail, on this 14th. day of September 2004.



LEON ROBINSON, A-22594

**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

CIVIL DOCKET#: SUCV2004-00377-D

RE: Robinson, A22594 v Menino Comr et al

TO: Leon Robinson, A22594
Old Colony Correctional Center
1 Administration Road
Bridgewater, MA 02324

NOTICE OF DOCKET ENTRY

You are hereby notified that on **04/26/2004** the following entry was made on the above referenced docket:

**NOTICE OF WAIVER OF COURT COSTS AND REQUEST FOR PAYMENT TO BE
WITHDRAWN FROM ACCOUNT (PURSUANT TO G.L. c. 261 sec. 29) The
prisoner/plaintiff in the above-captioned action has filed a motion to waive the filing
fee of \$275.00 and court costs (normal) and to proceed in forma pauperis. After
reviewing the affidavit of indigency and the statement of inmate account provided
by the correctional facility, the court hereby orders: The plaintiff is incapable of
paying the filing fee and may proceed in forma pauperis. (White, Justice) Notice Sent
04/26/2004.**

Dated at Boston, Massachusetts this 26th day of April,
2004.

Michael Joseph Donovan,
Clerk of the Courts

BY:
Assistant Clerk

Telephone: 617-788-8110

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

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CIVIL DOCKET#: SUCV2004-00377

Leon Robinson, A22594,
Plaintiff(s)

vs.

Thomas Menino Comr, et al.
Defendant(s)

**NOTICE OF WAIVER OF COURT COSTS AND REQUEST
FOR PAYMENT TO BE WITHDRAWN FROM ACCOUNT
(PURSUANT TO G.L. c. 261 sec. 29)**

The prisoner/plaintiff in the above-captioned action has filed a motion to waive the filing fee of \$275.00 and court costs (normal) and to proceed in forma pauperis. After reviewing the affidavit of indigency and the statement of inmate account provided by the correctional facility, the court hereby orders:

☒ The plaintiff is incapable of paying the filing fee and may proceed in forma pauperis.

Dated at Boston, Massachusetts this 26th day of April, 2004.

BY: 

Assistant Clerk

NOTICE SENT: 04/26/2004 (ah)
L.R.
(Pro Se)